

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

<div style="display: flex; justify-content: space-between;"><div style="width: 80%;"><p>JAMES GILLIAM, Individually And On Behalf Of All Others Similarly Situated,</p><p style="text-align: right;">Plaintiff,</p></div><div style="width: 10%; text-align: center;">)</div></div> <div style="display: flex; justify-content: space-between;"><div style="width: 80%;"><p>vs.</p><p>FIDELITY MANAGEMENT AND RESEARCH COMPANY, et al.,</p><p style="text-align: right;">Defendants.</p></div><div style="width: 10%; text-align: center;">)</div></div>))
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)	Civil Action No. 04cv11600 (NG))
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<div style="display: flex; justify-content: space-between;"><div style="width: 80%;"><p>BOGATIN FAMILY TRUST, Individually And On Behalf Of All Others Similarly Situated,</p><p style="text-align: right;">Plaintiff,</p></div><div style="width: 10%; text-align: center;">)</div></div> <div style="display: flex; justify-content: space-between;"><div style="width: 80%;"><p>vs.</p><p>FIDELITY MANAGEMENT AND RESEARCH COMPANY, et al.,</p><p style="text-align: right;">Defendants.</p></div><div style="width: 10%; text-align: center;">)</div></div>))
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)	Civil Action No. 04cv11642 (NG))
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<div style="display: flex; justify-content: space-between;"><div style="width: 80%;"><p>CYNTHIA A. BENNETT and GUY E. MILLER,</p><p style="text-align: right;">Plaintiffs,</p></div><div style="width: 10%; text-align: center;">)</div></div> <div style="display: flex; justify-content: space-between;"><div style="width: 80%;"><p>vs.</p><p>FIDELITY MANAGEMENT AND RESEARCH COMPANY, et al.,</p><p style="text-align: right;">Defendants.</p></div><div style="width: 10%; text-align: center;">)</div></div>))
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)	Civil Action No. 04cv11651 (MLW))
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**NOTICE OF PENDING MOTIONS IN RELATED CASES:
PLAINTIFFS' MOTION FOR APPOINTMENT OF TRI-LEAD
COUNSEL AND APPOINTMENT OF LIAISON COUNSEL
AND MOTION FOR CONSOLIDATION**

GHASSAN J. AWALI et al., Individually And On
Behalf Of All Others Similarly Situated,

Plaintiff,

vs.

FIDELITY MANAGEMENT AND RESEARCH
COMPANY, et al.,

Defendants.

Civil Action No. 04cv11709 (JLT)

WILLIAM S. GROESCHEL, Individually And On
Behalf Of All Others Similarly Situated,

Plaintiff,

vs.

FIDELITY MANAGEMENT AND RESEARCH
COMPANY, et al.,

Defendants.

Civil Action No. 04cv11735 (GAO)

NANCY HAUGEN, MICHAEL F. MAGNAN,
KAREN L. MAGNAN, ROSE M. IANNACCONE,
PRESLEY C. PHILLIPS, ANDREA M. PHILLIPS,
and CINDY SCHURGIN, for the use and benefit of
FIDELITY MAGELLAN AND FIDELITY
CONTRAFUND,

Plaintiffs,

vs.

FIDELITY MANAGEMENT AND RESEARCH
COMPANY, et al.,

Defendants.

Civil Action No. 04cv11756 (MLW)

[Caption continues on next page]

DAVID O. FALLERT, Individually And On Behalf)
Of All Others Similarly Situated,)

Plaintiff,)

vs.)

FIDELITY MANAGEMENT AND RESEARCH)
COMPANY, et al.,)

Defendants.)

Civil Action No. 04cv11812 (JLT)

Plaintiffs James Gilliam, Bogatin Family Trust, William S. Groeschel, Ghassan J. Awali, Marina Berti, Valerie A. Daspit, Arthur G. Denker, Randall C. Heyward, Stanley H. Krupa, Nicole Lenzi, David M. Lucoff, Joseph F. Martingano, Michael S. Mendolia, Patricia K. Munshaw, Brian D. Reese, Jay J. Rupp, Gilbert P. Travis, Jewel R. Travis and David O. Fallert (“Plaintiffs”), by their counsel, hereby notify this Court that the seven above-entitled cases are related (and were previously pending before Judge Stearns who has recused himself) and that two motions related to all seven cases are currently pending in the lowest numbered case (Gilliam, et al v. Fidelity Investments et al, 04-11600 NG).

The first Motion, filed on September 1, 2004 (Number 2 on the Gilliam docket), is a Motion for an Order (attached thereto) approving Plaintiffs’ selection of: (i) Milberg Weiss Bershad & Schulman LLP, Stull, Stull & Brody and Scott + Scott LLC as Tri-Lead Counsel to oversee the above-captioned actions; and (ii) Moulton & Gans, P.C. as Liaison Counsel. In support of that Motion, Plaintiffs submitted a Memorandum of Law, a Declaration, and [Proposed] Pretrial Order No. 2 For Appointment Of Tri-Lead Counsel And Appointment Of Liaison Counsel.

The second Motion (Number 6 on the Gilliam docket), also filed September 1, 2004, is a motion for entry of an Order (attached thereto): (i) consolidating the above-captioned actions, which have all been filed in the District Court of Massachusetts; and (ii) establishing a briefing schedule regarding a consolidated complaint. In support of that Motion, Plaintiffs submitted a Memorandum of Law and [Proposed] Pretrial Order No. 1 For Consolidation.

Other parties have filed Oppositions and other responses to the two Motions (See Docket #s 11-16 in Gilliam).

Dated: November 17, 2004

Respectfully submitted,

MOULTON & GANS, P.C.

By: /s/ Nancy Freeman Gans
Nancy Freeman Gans (BBO #184540)
33 Broad Street, Suite 1100
Boston, Massachusetts 02109-4216
(617) 369-7979

Counsel for Plaintiffs James Gilliam, William S. Groeschel, Ghassan J. Awali, Marina Berti, Valeriex A. Daspit, Arthur G. Denker, Randall C. Heyward, Stanley H. Krupa, Nicole Lenzi, David M. Lucoff, Joseph F. Martingano, Michael S. Mendolia, Patricia K. Munshaw, Brian D. Reese, Jay J. Rupp, Gilbert P. Travis, Jewel R. Travis and David O. Fallert and Proposed Liaison Counsel

**MILBERG WEISS BERSHAD
& SCHULMAN LLP**

Steven G. Schulman
Janine L. Pollack
Kim E. Levy
Michael R. Reese
One Pennsylvania Plaza
New York, New York 10119-0165
(212) 594-5300

Counsel for Plaintiff James Gilliam and Proposed Tri-Lead Counsel

STULL, STULL & BRODY

Jules Brody
Aaron Brody
6 East 45th Street
New York, New York 10017
(212) 687-7230

Counsel for Plaintiffs William S. Groeschel, Ghassan J. Awali, Marina Berti, Valerie A. Daspit, Arthur G. Denker, Randall C. Heyward, Stanley H. Krupa, Nicole Lenzi, David M. Lucoff, Joseph F. Martingano, Michael S. Mendolia, Patricia K. Munshaw, Brian D. Reese, Jay J. Rupp, Gilbert P. Travis, Jewel R. Travis and David O. Fallert and Proposed Tri-Lead Counsel

SCOTT + SCOTT, LLC

Arthur L. Shingler, III
Wells Fargo Building
401 B Street, Suite 307
San Diego, California 92101
(619) 233-4565

Counsel for Plaintiff James Gilliam and Proposed Tri-Lead Counsel

LAW OFFICES OF CHARLES J. PIVEN, P.A.

Charles J. Piven
Marshall N. Perkins
The World Trade Center - Baltimore
Suite 2525
401 East Pratt Street
Baltimore, Maryland 21202
(410) 332-0030

Counsel for Plaintiff James Gilliam

SCHIFFRIN & BARROWAY, LLP

Marc A. Topaz
Richard A. Maniskas
Three Bala Plaza East
Suite 400
Bala Cynwyd, Pennsylvania 19004
(610) 667-7706

Counsel for Plaintiff Bogatin Family Trust

GILMAN AND PASTOR, LLP

David Pastor (BBO #391000)
Stonehill Corporate Center
999 Broadway, Suite 500
Saugus, Massachusetts 01906
(781) 231-7850

Counsel for Plaintiff Bogatin Family Trust

WEISS & YOURMAN

Joseph H. Weiss
Richard A. Acocelli
551 Fifth Avenue, Suite 1600
New York, New York 10176
(212) 682-3025

*Counsel for Plaintiffs William S. Groeschel,
Ghassan J. Awali, Marina Berti, Valeriex A.
Daspit, Arthur G. Denker, Randall C. Heyward,
Stanley H. Krupa, Nicole Lenzi, David M. Lucoff,
Joseph F. Martingano, Michael S. Mendolia,
Patricia K. Munshaw, Brian D. Reese, Jay J.
Rupp, Gilbert P. Travis, Jewel R. Travis and David
O. Fallert*

CERTIFICATE OF SERVICE

I, Nancy Freeman Gans, hereby certify that I served a copy of the foregoing document upon counsel for all parties by mailing a copy of same, postage prepaid, to each attorney of record, this 17th day of November, 2004.

/s/ Nancy Freeman Gans
Nancy Freeman Gans